

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CAMERON SHEA, *et al.*,

Defendants.

CASE NO. CR20-0032-JCC

ORDER

This matter comes before the Court on the Government's motion to continue trial (Dkt. No. 154), which the Court understands Defendant Kaleb Cole opposes. Having thoroughly considered the briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

Trial in this matter was scheduled for March 22, 2021, (*see* Dkt. No. 132), which the Court vacated, (*see* Dkt. No. 163), based upon the COVID-19 pandemic's continued impact on the Court's operations. (*See* Dkt. No. 154 at 1–3; W.D. Wash. General Orders 01-20, 02-20, 07-20, 08-20, 11-20, 13-20, 15-20, 18-20 each of which the Court incorporates by reference.) The Court since learned that the parties are available for a September 20, 2021 trial date. A trial prior to this date would not serve the ends of justice as it is likely to be impacted by the continuing effect of the COVID-19 pandemic. Specifically, the pandemic has made it difficult for the Court to obtain an adequate spectrum of jurors to represent a fair cross section of the community, and

1 public health guidance has impacted the ability of jurors, witnesses, counsel, and Court staff to  
 2 be present in the courtroom. (*See generally id.*) Moreover, when the Court does resume in-person  
 3 trials, the Court will be limited by public health measures, such as limits on the number of people  
 4 in the courthouse and courtrooms, which will limit the Court's ability to try cases as efficiently  
 5 as it would absent a pandemic. (*See* W.D. Wash. General Order 04-21).

6 Having thoroughly considered the relevant record, the Court FINDS that the ends of  
 7 justice served by granting a continuance to September 20, 2021 outweigh the best interests of  
 8 Defendants and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this  
 9 finding are:

- 10 1. The COVID-19 pandemic has made it difficult for the Court to obtain an adequate  
 11 spectrum of jurors to represent a fair cross section of the community, which would  
 12 likely make proceeding on the current case schedule impossible or would result in a  
 13 miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(i).
- 14 2. Public health guidance has impacted the ability of jurors, witnesses, counsel, and  
 15 Court staff to be present in the courtroom. Therefore, proceeding with the current trial  
 16 date would likely be impossible or would result in a miscarriage of justice. *See* 18  
 17 U.S.C. § 3161(h)(7)(B)(i).

18 Accordingly, the Court ORDERS:

- 19 1. The status conference scheduled for March 24, 2021 at 9 a.m. is STRICKEN.
- 20 2. The trial date in this matter is SET to September 20, 2021 at 9:30 a.m.
- 21 3. Pretrial motions are due August 13, 2021.
- 22 4. The period from the date of the prior order striking the trial date and setting the matter  
 23 for status conference, (Dkt. No. 163), February 16, 2021, through the new trial date,  
 24 September 20, 2021, is an excludable time period under 18 U.S.C. § 3161(h)(7)(A).

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1 DATED this 24th day of March 2021.

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5 John C. Coughenour  
6 UNITED STATES DISTRICT JUDGE  
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